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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,574	10/30/2003	Nobuki Matsui	AK-430XX	8327
207	7590	12/14/2005	EXAMINER	
WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP TEN POST OFFICE SQUARE BOSTON, MA 02109			DAVIS, DAVID DONALD	
			ART UNIT	PAPER NUMBER
			2652	

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/697,574	MATSUI ET AL.	
	Examiner	Art Unit	
	David D. Davis	2652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 21 September 2005.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-5,7-10 and 17-19 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-5, 7-10 and 17-19 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____

DETAILED ACTION

Information Disclosure Statement

1. Receipt is acknowledged of the Information Disclosure Statement (IDS) received October 20, 2005.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7-10 and 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka et al (US 5,684,775). As per claims 1, 17 and 19, Tanaka et al shows in figures 4 and 7, for example, a disk drive 30 including a chassis case 31, a disk tray 36 capable of moving between a loading position inside the chassis case 31 and an unloading position outside the chassis case 31 while supporting a recording medium. A bezel 39 is attached to the disk tray 36 to cover a front end of the disk tray 36, and having a bezel attaching portion at the front end of which the bezel can be attached. An earth plate 51 is attached to a front end side of the disk tray 36 to discharge static electricity with the static electricity generated at the front side of the disk tray 36 being guided to the earth plate 51. Tanaka et al shows in figures 7A and 7B that the disk tray 36 has the earth plate attaching portion 60a, 60b, 39e' or 39f' to which the earth plate 51 is

directly attached and a bezel 39 attaching portion 60a, 60b, 39e' or 39f' to which the bezel 39 is directly attached.

As per claims 2, Tanaka et al shows in figures 4 and 7 that the disk tray 36 supports a supporting rotation arrangement 37 of a disk, which rotates while supporting the disk. As per claims 3, Tanaka et al shows in figures 4 and 7 an operating arrangement 43 to be operated when moving the disk tray 36 located at the loading position toward the unloading position with the earth plate 51 being set adjacently to the operating arrangement. As per claims 4 and 14, Tanaka et al shows in figures 4 and 7 an electrical displaying arrangement 50c for showing an operation state of the drive with the earth plate 51 is set adjacently to the electrical displaying arrangement.

As per claims 5, Tanaka et al discloses that the the chassis case 31 has conductivity, and the earth plate 51 is electrically connected to the chassis case 31 to supply static electricity generated at the front side of the disk tray 36 to the chassis case 31 when the disk tray 36 is located at the loading position. As per claim 7, when the bezel 39 is removed from the disk tray 36, as shown in figure 2 of Tanaka et al, the earth plate 51 fixed to the disk tray 36 so as to cover at least a part of the front end face of the disk tray 36 is exposed to the front end of the disk tray 36.

As per claims 8 and 18, Tanaka et shows in figure 6, for example, the disk tray body and an inner bezel 60 attached to the front end of the disk tray body. The earth plate 51 is set between the disk tray body and the inner bezel, and the bezel 39 is attached to the front end of the disk tray 36 to cover the inner bezel 39 of the disk tray 36. As per claim 9, Tanaka et al shows in figure 6 the bezel 39 formed like a plate is fixed to the inner bezel of the disk tray 36.

As per claim 10, Tanaka et al shows in figure 6 the bezel 39 formed like a shallow pan fitted to the inner bezel of the disk tray 36.

Response to Arguments

Applicant's arguments filed September 21, 2005 have been fully considered but they are not persuasive. Applicant asserts in the second paragraph on page 14 that Tanaka does not disclose, teach or suggest that the earth plate is attached directly to the earth plate attaching portion and the bezel is attached directly to the bezel attaching portion. Contrary to applicant's assertion, as stated supra, Tanaka et al shows in figures 7A and 7B that the disk tray 36 has the earth plate attaching portion 60a, 60b, 39e' or 39f' to which the earth plate 51 is directly attached and a bezel 39 attaching portion 60a, 60b, 39e' or 39f' to which the bezel 39 is directly attached.

In the third paragraph on page 14, applicant asserts that the earth plate of Tanaka is not fixed to the disk tray but the bezel. Contrary to applicant's assertion, the earth plate is fixed to the tray even if it may be via to the bezel because the bezel is attached to the tray.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Davis whose telephone number is 571-272-7572. The examiner can normally be reached on Monday thru Friday between 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, A. L. Wellington can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David D. Davis
Primary Examiner
Art Unit 2652

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